

## Office Action Summary

Application No. 09/010,490	Applicant(s) Hata, Yoshida
Examiner Smith	Art Unit 3729



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Apr 10, 2002

2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 8-11, 13-15, and 18-34 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 8-11, 13-15, and 18-34 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892)      4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_      6)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Claim Rejections - 35 U.S.C. § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.*

2. Claims 8-11, 13-15, 18-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The general scope of the intended subject matter is not clear. The claims are drawn to a apparatus but applicants relies on the combination and subcombination of the operation of the apparatus. It is not clear if the applicant is relying on the apparatus and the operation of the intended invention for prosecution. The examiner has taken the invention to be directed to the apparatus and not the operation of the apparatus.

### ***Claim Rejections - 35 U.S.C. § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8-11, 13-15, 18-19, 22-26 and 28-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Baker

Regarding claims 8, 9 18, 19, 24 and 29-31 Baker discloses a component mounting apparatus comprising: a pari of component supply tables (17) being arranged on opposite sides of a board mounting position Fig. 4; a first and second mounting head (81, 83) having a plurality of rotatable supported component suction nozzles (85); wherein the direction is perpendicular to a direction in which the board is transferred and the second direction is located to a direction along the board transfer direction Fig. 5; Baker further discloses a third and fourth direction of the second mounting head wherein the third direction is parallel to the first direction (nozzles moving up and down to mount components). and the fourth direction is parallel to the second direction (nozzle moving along 63), moving along (71 and 73 moving in a opposite direction along 63); wherein the first and second mounting head section are independently movable between the supply tables and the board , and the first mounting head section is cable of mounting the plural picked up component onto the board while the second head section successively sucks to pock up components at eh other table (column 6 lines 14-59).

Regarding claims 10, 11 and 32-34, Baker et al discloses controller (25) for mutually controlling the first and second mounting head section in accordance with the timing at which, when one of the first and second mounting head section carries out a component picking up

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operation for picking up the component from the component supply table, the other of the first and second mounting head operation for mounting the pickup component onto the board.

Regarding claims 22, 23 and 28, where Baker is relied upon as above for disclosing a mounting apparatus. Baker discloses a controller for controlling the operation of the components.

Regarding claims 13 -15, Baker discloses a component mounting apparatus having suction nozzles (85) for sucking the components on at a time components prior to be mounted.

Regarding claim 25, Baker discloses a board positioning section for positioning the board such that the board is not moved during the mounting of the components (column 6 lines 25-31)

Regarding claim 26, Baker discloses the mounting head rotatable having suction heads (column 6 lines 32-35)..

***Claim Rejections - 35 U.S.C. § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 20, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker.

Regarding claims 20,21 and 27, where Baker is relied upon as above for disclosing a mounting apparatus. It would have been deemed a matter of design choice as to the components being mounted. Since the components solve no stated patentable feature as to the claimed apparatus, it would have been obvious to select components having different configuration on the supply tables based on the operation at hand.

***Response to Arguments***

7. Applicant's arguments with respect to claims 8-11, 13-15, 18-34 have been considered but are moot in view of the new ground(s) of rejection.

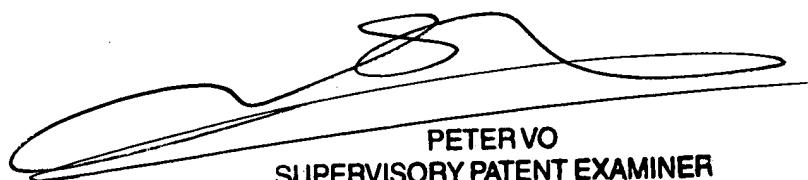
***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Smith whose telephone number is 703-305-0831. The examiner can normally be reached on Monday thru Friday from 6:30 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo, can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-308-7058.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



PETER VO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700



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